

1 LOCAL GOVERNMENT EMPLOYEE-MANAGEMENT RELATIONS BOARD

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3 TAHOE DOUGLAS FIREFIGHTERS)
 ASSOCIATION,)
 4 Appellant,¹) Case No. A1-045291
 5 vs.)
 6 LAKE TAHOE FIRE PROTECTION)
 DISTRICT,)
 8 Respondent.)

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10 ORDER GRANTING SUMMARY JUDGMENT

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12 This appeal, filed July 14, 1975, requests that we direct
 13 the respondent to recognize the Association pursuant to
 14 NRS 288.160(1), that we find a prohibited practice to have
 15 occurred and for other and further relief, including attorney's
 16 fees and costs.

17 Subsequently, on August 14, 1975, the appellant moved for
 18 summary judgment asserting that no facts were in controversy and
 19 that only questions of law remained to be resolved.

20 The respondent answered the charges and the matter was
 21 set for hearing on October 15, 1975, in Carson City, Nevada. At
 22 that time, we heard arguments on the motion.

23 At the conclusion of these arguments, we granted the
 24 motion for summary judgment and denied the request for attorney's
 25 fees, costs and other relief. That portion of the prayer
 26 requesting that we find a prohibited practice to have occurred
 27 was withdrawn by appellant.

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29 1. We have corrected the case entitlement to reflect the
 30 statutory language that an "appeal" may be taken to the Board from
 the refusal to recognize an employee organization. NRS 288.160(4).

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FINDINGS OF FACT

1. That the appellant, Tahoe Douglas Firefighters Association, is a local government employee organization.
2. That the respondent, Lake Tahoe Fire Protection District, is a local government employer.
3. That on June 17, 1975, the appellant formally served on the respondent its constitution and by-laws, a list of officers and members and a pledge in writing not to strike.
4. That the respondent refused to recognize the appellant.

CONCLUSIONS OF LAW

1. That under the provisions of Chapter 288 of the Nevada Revised Statutes the Local Government Employee-Management Relations Board possesses original jurisdiction over the parties and subject matter of this appeal.
2. That the appellant, Tahoe Douglas Firefighters Association, is a local government employee organization within the term as defined in NRS 288.040, as amended by Stats. of Nev., 1975, ch. 539, §11, p. 918.
3. That the respondent, Lake Tahoe Fire Protection District, is a local government employer within the term as defined in NRS 288.060.
4. That the documentation provided by the appellant to the respondent on June 17, 1975, fully complied with the provisions of NRS 288.160(1)(a), (b) and (c).
5. That the appellant is entitled to be recognized as a local government employee organization pursuant to the provisions of NRS 288.160(1).

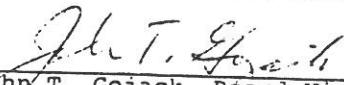
As stated in the record, we grant the motion for summary judgment:


1 "This Board unanimously finds that the complainant
2 [appellant] has complied with NRS 288.160(1)(a), (b) and (c) and
3 we therefore

4 ORDER that the respondent recognize the complainant
5 [appellant]. That portion of the complaint [appeal] requesting
6 costs and attorney's fees is denied."
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8 Dated this 2nd day of December, 1975.
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12 Christ N. Karamanos, Board Chairman

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15 John T. Gojack, Board Vice Chairman

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17 Dorothy Eisenberg, Board Member

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28 Counsel of Record
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